

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:13-cr-42

v.

HON. JANET T. NEFF

SHARUN CONTRELL WILLIAMS,

Defendant.

---

**MEMORANDUM OPINION AND ORDER**

Defendant Sharun Contrell Williams has filed a motion for modification or reduction of sentence (Dkt 153) pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine). The U.S. Probation Department has filed a Sentence Modification Report (Dkt 178), and Defendant has filed a Response (Dkt 179).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

However, the defendant appears to be ineligible for a reduction according to the policy statements of the U.S. Sentencing Commission due to the mandatory minimum controlling the sentence. Defendant acknowledges that he is ineligible at this time, but wishes to preserve the issue

for future consideration should the law change. *See Cvijetinovic v. Eberlin*, 617 F.3d 833, 840 (6<sup>th</sup> Cir. 2010).

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 153) pursuant to 18 U.S.C. § 3582(c)(2) is DENIED.

DATED: September 14, 2015

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge